

HAMPTON PLANNING BOARD - MINUTES

August 21, 2002

PRESENT: Sharleene Hurst, Vice Chairman
Sandy Buck, Alternate
Tom Higgins, Alternate
Jack Lessard, Clerk
Keith Lessard
Bob Viviano
Skip Sullivan, Selectmen Member
Jennifer Kimball, Town Planner

ABSENT: Tom Gillick, Chairman
Peter Olney

Mrs. Hurst called the meeting to order at 7:00 p.m. and introduced the members in attendance.
Mr. J. Lessard called the first item on the agenda.

I. NEW PUBLIC HEARINGS

1. Margaret M. and Edward O. Carlman III
Special Permit Application for demolition of existing structure and replace
with a 24' x 28', 2-story colonial within the Wetlands Conservation District at
5 Chase Street
Map 274, Lot 59
Owners of Record: Same as Above

Mrs. Carlman addressed the Board. Mrs. Carlman stated that they would like to demolish the existing structure which is a very small cottage on an unusually configured lot. They would like to construct a new home and pull it further away from the swale. They would like to keep the construction project affordable and put up a 2-story, 24' x 28' modular home. Mrs. Hurst read the July 24, 2002 memo from the Hampton Conservation Commission. They recommend the granting of this Special Permit with several conditions.

OPEN PUBLIC HEARING.

Mrs. Carlman presented letters of approval from the following abutters:

1. Bishop of Manchester dated May 29, 2002;
2. Diocese of Manchester, dated May 31, 2002;
3. Diocese of Manchester, dated May 29, 2002;
4. Stephen & Maureen Cronin, dated May 24, 2002
5. Maurice & Barbara Chenard, dated May 26, 2002;
6. Sarah & William Monagle, dated May 22, 2002;
7. Susan Cronin, dated July 24, 2002.

No further comment. CLOSE PUBLIC HEARING.

Mr. Sullivan **MOTIONED** to approve the Special Permit subject to the conditions outlined in the Conservation Commission memo dated July 24, 2002. Mr. K. Lessard **SECONDED**.

Discussion: Item #1 in the Conservation Commission memo. Mr. Keith Lessard asked why the Heritage Commission should be notified before demolition. Mrs. Kimball stated that this is a requirement when the applicant applies for a demolition permit from the Building Dept. The application requires the signature of the Heritage Commission for structures over 50 years old. Mr. Buck felt that this is not a requirement of the Planning Board, this condition is extraneous and should not be required.

Mr. Sullivan **AMENDED** the Motion: Approved with the exception of item #1 of the Conservation Commission memo. Mr. K. Lessard **SECONDED** the Amended Motion. **VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Mr. J. Lessard read the next two items on the agenda.

2. Thomas J. Gillick, Jr.

Site Plan Review to combine two existing lots of record into one and replace an existing structure with a single dwelling unit (for a total of 3 dwelling units on site) at

17 & 19 Gill Street

Map 210, Lot 33 and Map 223, Lot 17

Waivers Requested: Site Plan Review Section V.E.8 (submittal of storm drainage plan) and Section VII.D (storm drainage design)

Owner of Record: Same as Above

2. Thomas J. Gillick, Jr.

Special Permit to complete work with associated Site Plan Application within the Wetland Conservation District at

17 & 19 Gill Street

Map 210, Lot 33 and Map 223, Lot 17

Owner of Record: Same as Above

Mr. Thomas Gillick, Mr. Dennis Gillick, and Mr. Ernie Cote addressed the Board. Mr. Tom Gillick stated that he owns two abutting lots at 17 & 19 Gill Street. Lot #1 is a 50' x 100' lot. Lot #2 is an existing lot of record just under $\frac{3}{4}$ of an acre and has no frontage on Gill Street. The current building is 25' x 30', one and a half story structure built in 1982 per the requirements at that time. Mr. Gillick would like to remove that building and replace with a two-story, single-family house on the existing footprint. Mr. Gillick stated that he believed he has been granted all the necessary relief from the Zoning Board of Adjustment. Since regulations do not permit construction of a building on a lot with no frontage, Mr. Gillick would like to voluntarily remove the lot line, creating one large lot fronting on Gill Street. Since the existing structure is a duplex, this creates a permitted multi-family use on the new large lot.

The Board members had no questions at this time, but wished to discuss the Conservation Commission memo of July 26, 2002 which recommends granting the Special Permit with certain conditions. Mrs. Kimball discussed the 14 items outlined in her August 19, 2002 memo. Mr. Gillick stated that he would be happy to comply with any conditions the Board may have.

OPEN PUBLIC HEARING.

Tom Nassoura, 15 Gill Street. Mr. Nassoura had concerns about his privacy and the value of his property. He stated that he spoke with a realtor who advised him that this might diminish his property value. Mr. Nassoura had further concerns whether the structure would be one or two levels.

Mr. J. Lessard believed that the minutes of the Zoning Board would reflect that a one-story building was proposed. Mr. Gillick stated that the application did not state whether the structure would be one or two stories, however the plans provided to the ZBA show a 2-story structure. Mr. Viviano stated that the Planning Board has no jurisdiction over what the ZBA granted, not the number of levels of the building. Mr. Buck stated that none of the variances granted by the ZBA concerned the number of stories and is not a Planning Board matter.

No further public comment. CLOSE PUBLIC HEARING.

The Board discussed possible conditions of approval as outlined in Jennifer Kimball's August 19, 2002, 14-point memo. Mr. Gillick stated that there would be no change in sealed surfaces of the lots.

Mr. K. Lessard **MOTIONED** to approve the Special Permit to complete work with associated Site Plan Application within the Wetland Conservation District at 17 & 19 Gill Street, Map 210, Lot 33 and Map 223, Lot 17 subject to the conditions of the July 26, 2002 Conservation Commission memo. Mr. Sullivan **SECONDED: VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Mr. Buck **MOTIONED** to approve the Request for waivers from Site Plan Review Section V.E.8 (submittal of storm drainage plan) and Section VII.D (storm drainage design) with no change to the sealed surface of the lots. Mr. Viviano **SECONDED: VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Mr. K. Lessard **MOTIONED** to accept jurisdiction of Site Plan to combine two existing lots of record into one and replace an existing structure with a single dwelling unit (for a total of 3 dwelling units on site) at 17 & 19 Gill Street, Map 210, Lot 33 and Map 223, Lot 17, Plan #4-55-5762 subject to:

1. Delineation of the 1200 sq. ft. recreation area on plans;
2. The proposed structure shall be within the existing footprint and the plan shall reflect this;
3. Voluntary lot line merger form be completed with appropriate recording fees prior to or concurrent with recording of Site Plan;
4. New map and lot number shall be shown on the plan;
5. Delineation of the 50' wetland buffer on the plan;

6. Installation of monuments per Site Plan Regulations at the wetland boundary prior to final approval and details shown on the plan;
7. Monumentation of lot corners noted on plans and certificate of all monumentation submitted prior to final approval;
8. No fill to be allowed on the site per flood plain regulations;
9. Utility connections to be shown on the final plan;
10. Walkway to proposed structure shall be delineated on the plan;
11. Applicant to submit required elevation and floor plans prior to final approval;
12. Erosion and sediment control to be shown on site plan.

Discussion: Mr. Higgins asked if the inclusion of the steps would exceed the existing footprint. Mr. Gillick stated that the existing footprint is 30' x 25'. Mr. Higgins also had questions about whether or not the proposed building would be one or two stories. Mrs. Kimball stated that the application was not for a height variance. Mr. K. Lessard stated that the Planning Board would be voting to allow the applicant to build within the existing footprint. Mrs. Hurst stated that the Planning Board does not have jurisdiction over height requirements. Mr. Gillick stated that he spoke with the Building Inspector, Kevin Schultz, and when final plans were submitted, he would determine whether or not the steps were to be included in the existing footprint.

Mr. Viviano **SECONDED: VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

CONSIDERATION OF MINUTES – July 17 & August 7, 2002

Mr. J. Lessard **MOTIONED** to approve the minutes of the July 17, 2002 Planning Board meeting. Mr. K. Lessard **SECONDED: ABSTAIN:** 2 (Buck & Higgins). **VOTE:** 5 - Yes. 2 - Abstain. **MOTION PASSES IN THE AFFIRMATIVE.**

Mr. J. Lessard **MOTIONED** to postpone voting on the minutes of the August 7, 2002 minutes. Mr. Sullivan **SECONDED: VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

I. CORRESPONDENCE

Mrs. Kimball received a memo from John Hangen, DPW regarding performance surety at 373 Lafayette Road, 21-unit housing - Kevin O'Donnell. They are satisfied with the estimate and recommend that the Board set surety at \$125,000. This amount will also cover repair to town facilities in Lafayette Road (sidewalk and pavement) disturbed during construction.

Mr. K. Lessard **MOTIONED** to set surety at \$125,000 in the matter of Kevin O'Donnell, 21-unit housing at 373 Lafayette Road, Hampton. Mr. Buck **SECONDED: VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Mrs. Kimball received a verbal request from Kevin O'Donnell regarding the surety he posted for his Pearl Street project due to Conservation Commission concerns. Mrs. Kimball read a note from Vivian Marcotte from the Building Permit file. The Board felt it would be more appropriate to receive a memorandum from the Conservation Commission, so the Board

consensus was to postpone to the next meeting. Mrs. Kimball will discuss with the Conservation Commission and Mr. O'Donnell on behalf of the Board.

Mr. Viviano **MOTIONED** to postpone the matter of Kevin O'Donnell to the next Planning Board meeting. Mr. J. Lessard **SECONDED: VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

The Board discussed the matter of Pobama Trust, 4 Post Road. The applicant will meet with the Zoning Board of Adjustment in North Hampton for relief from setbacks, Conservation setbacks, and other related items. Mrs. Kimball recommended that the Board members may wish to write a letter to the Zoning Board for the Public Hearing. Keith Lessard asked if the Board wished to have a copy of those minutes. Mrs. Kimball suggested that a copy of the Hampton Planning Board minutes be sent to them, highlight concerns and requesting a copy of their minutes.

Mrs. Kimball mentioned two items for the Board's reading file. The North Hampton /Hampton/ Exeter Regional Bike Loop Project has been added to the 10-year Transportation Improvement Program for the State.

The Board received a copy of the Memorandum of Understanding that encompasses the duties and responsibilities of the State and the Town regarding current maintenance, future replacement and ownership of the Route 27 bridge. The Board made application earlier for some planning assistance with this project. The Board of Selectmen and Town Manager are working on that project, and Mrs. Kimball will be assisting the Town Manager with the application.

I. OTHER BUSINESS

1. Janet Lane: Deed of land to Town

Mrs. Kimball has a copy of the plans. The Board approved this and the plan was signed by then Chairman, Cliff Pratt on November of 1998. There was a section adjacent to the western side of the cul de sac that abuts the Marston School property. The Board approved that section be deeded to the Town for potential future access to Marston School. With current requirements for Public Hearings if the Selectmen are to buy or sell land, they need the recommendation of the Planning Board and the Conservation Commission. Mrs. Kimball recommended that the Board send a letter of recommendation with a copy to the School Board.

Mr. Higgins **MOTIONED** to send a letter of recommendation to the Board of Selectmen concerning the Janet Lane property. Mr. J. Lessard **SECONDED. VOTE: 6 - yes. ABSTAIN: 1 - (K. Lessard). MOTION PASSES IN THE AFFIRMATIVE.**

Mrs. Kimball added that there are a number of Town roads that have never actually been deeded to the Town, and she is attempting to go through all the old permits to clear this up. Town Attorney, Mark Gearreald recommended that the Town accept the conveyance and then the Board of Selectmen would approach the Hampton School Board to see if they wished the parcel to be conveyed to them because technically, the Hampton School Board owns the Marston School property.

Mr. Keith Lessard recommended that Aquarion Water be invited to a future Planning Board Meeting to address their policies concerning such items as drilling wells, future plans, what the Board needs to know as Planners, and what the public's role is in the future of Hampton and water conservation matters. Board consensus was that Mrs. Kimball contact them to invite them to attend the next meeting under "Attending To Be Heard" as the agenda is light to discuss the existing moratorium, their plans, and how that impacts the Town . Mr. Keith Lessard expressed that the Town may want to install gray water pipelines for gardens. However, this may be cost prohibitive.

Mr. Sullivan **MOTIONED** to adjourn. Mr. J. Lessard **SECONDED: VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Meeting adjourned at 8:05 p.m.

Respectfully Submitted,
Maryann Brickett,
Planning Board Secretary